



July 12, 2004

Department of Homeland Security
Management Directorate
Environmental Planning, Office of Safety and Environment
Washington, D.C. 20528
ATTN: Mr. David Reese

Sent via facsimile to (202) 772-9749

RE: Notice of Proposed Directive Implementing the National Environmental Policy
Act: Request for Extension of Comment Deadline

Dear Mr. Reese:

With this letter, Defenders of Wildlife respectfully requests that the Department of Homeland Security extend its comment deadline for the proposed directive containing policy and procedures for implementing the National Environmental Policy Act of 1969 ("NEPA"). Defenders of Wildlife ("Defenders") is a national non-profit, public interest conservation organization with approximately 1,000,000 members and supporters, with its principal place of business in Washington, D.C. Defenders is dedicated to the protection of all native wild animals and plants in their natural communities. Defenders advocates new approaches to wildlife conservation that will help keep species from becoming endangered. Our programs encourage protection of entire ecosystems and interconnected habitats while protecting predators and other keystone species that serve as indicators of ecosystem health.

Defenders feels a deadline extension in this instance is strongly warranted because of the extensive information involved in the draft directive, and the broad ramifications its provisions will have on the actions of the many agencies within the newly formed Department of Homeland Security. The draft directive contains several provisions that appear to be unprecedented interpretations of allowable actions under both NEPA and its implementing regulations. Additionally, we are extremely concerned that the administrative record justifying the proposed directive—particularly the extremely broad use of categorical exclusions—is not being made publicly available. In order that the public may provide fully informed comments on the proposed action, the administrative record should immediately be made available, via the internet and other means, and the comment period extended 30 days from the day of its availability.

Thank you for your consideration of this request.

Sincerely,

Brian Segge
Associate Counsel

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